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MINISTRY OF LAW

New Delhi, the 16th November 1956

S.R.O. 2719.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following amendments in the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, namely:—

In the said Rules—

(a) for rule 26, the following rule shall be substituted, namely:—

“26. *Safeguards against personation.*—(1) Every elector about whose identity the presiding officer or the polling officer, as the case may be, is satisfied, shall allow—

(a) his left forefinger to be inspected by the presiding officer or polling officer; and

(b) an indelible ink mark to be put on his left forefinger.

(2) The presiding officer or a polling officer authorised in this behalf by the presiding officer of every polling station which the Election Commission has, by notification in the Official Gazette issued not later than the last date for the withdrawal of candidatures under clause (c) of section 30, specified for the purpose of this sub-rule shall, and the presiding officer or a polling officer authorised by the presiding officer of any other polling station may, require every such elector to affix his signature or thumb impression on a paper (hereafter in these Rules referred to as the identity slip) containing such particulars as may be specified by the Election Commission.

(3) If any elector refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or persists in doing any act with a view to remove such indelible ink mark, or being required under sub-rule (2) to affix his signature or thumb impression on an identity slip, refuses to do so, he shall not be supplied with any ballot paper or allowed to vote.

(4) Where a poll is being held simultaneously for a parliamentary constituency as well as for an assembly or electoral college constituency, an elector whose left forefinger has been marked with indelible ink or who has affixed his signature or thumb impression on the identity slip, at one such election shall, notwithstanding anything contained in sub-rules (1), (2) and (3), be supplied with a ballot paper or papers for the other election.

- (5) Any reference in this rule or in rule 27 to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger of his left hand, and shall in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing, be construed as a reference to such extremity of his left or right arm as he possesses”;
- (b) in rule 27, for sub-rule (1), the following sub-rule shall be substituted, namely:—
- “(1) After the elector's left forefinger has been marked as required by sub-rule (1) of rule 26 and after he has affixed his signature or thumb impression on the identity slip, when required to do so under sub-rule (2) of that rule, a ballot paper or the requisite number of ballot papers shall be issued to him”;
- (c) in rule 35, in sub-rule (2), after clause (f) the following clause shall be inserted, namely:—
- “(ff) the identity slips containing the signatures or thumb impressions of electors under sub-rule (2) of rule 26.”

[No. F.22(9)/56-Elections.]

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